

B. SBIR Funding Agreement Certification (Life-Cycle Certification)

All SBIR Phase I and Phase II Awardees must complete this certification at all times set forth in the Funding Agreement (see §8(j) of the SBIR Policy Directive). This includes checking all of the boxes and having an authorized officer of the Awardee sign and date the certification each time it is requested.

Please read carefully the following certification statements. The Federal government relies on the information to ensure compliance with specific program requirements during the life of the Funding Agreement. The definitions for the terms used in this certification are set forth in the Small Business Act, the SBIR Policy Directive, and also any statutory and regulatory provisions referenced in those authorities.

If the Funding Agreement officer believes that the business is not meeting certain Funding Agreement requirements, the agency may request further clarification and supporting documentation in order to assist in the verification of any of the information provided.

Even if correct information has been included in other materials submitted to the Federal Government, any action taken with respect to this certification does not affect the Government's right to pursue criminal, civil, or administrative remedies for incorrect or incomplete information given in the certification. Each person signing this certification may be prosecuted if they have provided false information.

The undersigned has reviewed, verified and certifies that (all boxes must be checked except where otherwise directed):

(1) The Principal Investigator/Project Manager spent more than one half of his/her time (based on a 40 hour workweek) as an employee of the Awardee or the Awardee has requested and received a written deviation from this requirement from the Funding Agreement officer. (Check one box).

☐ Yes ☐ No ☐ Deviation approved in writing by Funding Agreement officer: _____%

(2) All Essentially Equivalent Work, or a portion of the work, performed under this project (check applicable line):

- ☐ **Has not** been submitted for funding to this Agency or another Federal Agency.
- ☐ **Has** been submitted for funding to this Agency or another Federal agency but has not been funded under any other grant, contract, subcontract or other transaction.
- ☐ A portion has been funded by another grant, contract, or subcontract as described in detail in the proposal and approved in writing by the Funding Agreement officer.

(3) Upon completion of the award, the Awardee will have performed the applicable percentage of work, unless a deviation from this requirement is approved in writing by the Funding Agreement officer (check the applicable line and fill in if needed):

- ☐ SBIR Phase I: at least two-thirds (66 2/3%) of the research.
☐ SBIR Phase II: at least half (50%) of the research.
☐ Deviation approved in writing by the Funding Agreement officer: _____%

(4) The work is completed and the small business Awardee has performed the applicable percentage of work, unless a deviation from this requirement is approved in writing by the Funding Agreement officer (check the applicable line and fill in if needed):

- ☐ SBIR Phase I: at least two-thirds (66 2/3%) of the research.
☐ SBIR Phase II: at least half (50%) of the research.
☐ Deviation approved in writing by the Funding Agreement officer: _____%
☐ N/A because work is not completed.

(5) The research/research and development is performed in the United States unless a deviation is approved in writing by the Funding Agreement officer. (Check one box).

- ☐ Yes ☐ No ☐ Waiver has been granted

(6) The research/research and development is performed the Awardee's facilities by the Awardee's employees, except as otherwise indicated in the SBIR application and approved in the Funding Agreement. (Check one box).

- ☐ Yes ☐ No

(7) ☐ I will notify this Federal agency immediately if all or a portion of the work authorized and funded under this award is subsequently funded by another Federal agency.

(8) ☐ I understand that the information submitted may be given to Federal, State and local agencies for determining violations of law and other purposes.

(9) ☐ I am an officer of the Awardee business concern authorized to represent it and sign this certification on its behalf. By signing this certification, I am representing on my own behalf, and on behalf of the business concern, that the information provided in this certification, the application, and all other information submitted in connection with the award, is true and correct as the date of submission. I acknowledge that any intentional or negligent misrepresentation of the information contained in this certification may result in criminal, civil or administrative sanctions, including but not limited to: (1) fines, restitution and/or imprisonment under 18 U.S.C. § 1001; (2) treble damages and civil penalties under the False Claims Act (31 U.S.C. § 3729 *et seq.*); (3) double damages and civil penalties under the Program Fraud Civil Remedies Act (31 U.S.C. § 3801 *et seq.*); (4) civil recovery of award funds,

(5) suspension and/or debarment from all Federal procurement and non-procurement transactions (FAR Subpart 9.4 or 2 C.F.R. Part 180); and (6) other administrative penalties including termination of SBIR/STTR awards.

Signature _____ **Date** ____/____/____

Print Name (First, Middle, Last)

Title

Business Name
